

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:18-00118

ROBERT ADAMS

MEMORANDUM OPINION AND ORDER

On July 1, 2019, defendant pled guilty to an information in Criminal No. 2:19-00152. A condition of the proposed plea agreement in the information case is that the United States will dismiss this action if the plea is accepted and judgment entered in that information case. Sentencing in that matter was scheduled for November 4, 2019. By Memorandum Opinion and Order entered July 23, 2019, the court granted the government's motion to continue the trial in this case pending final disposition of the information case and set the new trial date for November 5, 2019.


On August 26, 2019, sentencing in the information case was rescheduled for November 12, 2019. For this reason, trial of this action is continued until November 13, 2019, at 9:30 a.m., in Charleston. Pursuant to 18 U.S.C. § 3161(h)(1)(G), "delay resulting from consideration by the court of a proposed plea agreement to be entered into by the defendant and the attorney for the Government" is excludable under the Speedy Trial Act. Alternatively, pursuant to 18 U.S.C. § 3161(h)(7)(A), the court finds this time is excludable for purposes of the Speedy Trial

Act because the court finds that the ends of justice outweigh the best interest of the defendant and the public in a speedy trial. In so finding, the court concludes that the negotiated plea in the information is beneficial to the government and the defendant for reasons placed on the record at the plea hearing.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 8th day of October, 2019.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge